TYPE I−FOIA

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17−cv−00918−JEB

MONTGOMERY et al v. INTERNAL REVENUE SERVICE
Assigned to: Judge James E. Boasberg
Cause: 05:552 Freedom of Information Act

Date Filed: 05/16/2017
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

THOMAS A. MONTGOMERY

represented by **Nicholas Lawrence Wilkins**
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Plaintiff

BETH W. MONTGOMERY

represented by **Nicholas Lawrence Wilkins**
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Kim Marie Boylan
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V.

Defendant

INTERNAL REVENUE SERVICE

represented by **Joseph E. Hunsader**
U.S. DEPARTMENT OF JUSTICE
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/16/2017	1	COMPLAINT against INTERNAL REVENUE SERVICE (Filing fee $ 400 receipt number 0090−4954271) filed by THOMAS A. MONTGOMERY, BETH W. MONTGOMERY. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Civil Cover Sheet, # 10 Summons, # 11 Summons, # 12 Summons)(Boylan, Kim) (Entered: 05/16/2017)

05/17/2017	2	ERRATA */Notice of Errata* by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY 1 Complaint, filed by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Attachments: # 1 Corrected Complaint, # 2 Corrected Civil Cover Sheet)(Boylan, Kim) (Entered: 05/17/2017)
05/19/2017		Case Assigned to Judge James E. Boasberg. (zsb) (Entered: 05/19/2017)
05/19/2017	3	SUMMONS (3) Issued Electronically as to INTERNAL REVENUE SERVICE, U.S. Attorney and U.S. Attorney General (Attachment: # 1 Consent Form)(zsb) (Entered: 05/19/2017)
06/02/2017	4	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 05/23/2017. (Boylan, Kim) (Entered: 06/02/2017)
06/02/2017	5	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. INTERNAL REVENUE SERVICE served on 5/23/2017 (Boylan, Kim) (Entered: 06/02/2017)
06/02/2017	6	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/23/2017. Answer due for ALL FEDERAL DEFENDANTS by 6/22/2017. (Boylan, Kim) (Entered: 06/02/2017)
06/19/2017	7	Unopposed MOTION for Extension of Time to File Answer re 1 Complaint, by INTERNAL REVENUE SERVICE (Attachments: # 1 Text of Proposed Order)(Hunsader, Joseph) (Entered: 06/19/2017)
06/19/2017		MINUTE ORDER GRANTING Defendant's Unopposed 7 Motion for Extension of Time to File. The Court ORDERS that Defendant shall respond to the Complaint on or before July 22, 2017. Signed by Judge James E. Boasberg on 6/19/17. (lcjeb2) (Entered: 06/19/2017)
06/19/2017		Set/Reset Deadlines: Responses due by 7/22/2017. (nbn) (Entered: 06/20/2017)
07/21/2017	8	ANSWER to Complaint by INTERNAL REVENUE SERVICE.(Hunsader, Joseph) (Entered: 07/21/2017)
07/24/2017		MINUTE ORDER: The Court ORDERS that the parties shall meet, confer, and submit a joint proposed briefing schedule by August 7, 2017. Signed by Judge James E. Boasberg on 7−24−2017. (lcjeb3) (Entered: 07/24/2017)
07/24/2017		Set/Reset Deadlines: Parties shall meet, confer, and submit a joint proposed briefing schedule by 8/7/2017. (nbn) (Entered: 07/24/2017)
08/01/2017	9	NOTICE of Appearance by Nicholas Lawrence Wilkins on behalf of BETH W. MONTGOMERY, THOMAS A. MONTGOMERY (Wilkins, Nicholas) (Entered: 08/01/2017)
08/02/2017	10	PROPOSED BRIEFING SCHEDULE / *Joint Proposed Briefing Schedule* by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Attachments: # 1 Text of Proposed Order)(Boylan, Kim) (Entered: 08/02/2017)
08/02/2017		MINUTE ORDER: The Court ORDERS that the parties shall submit a joint proposed briefing schedule by August 7, 2017, which shall propose sequential, not simultaneous, briefs. Signed by Judge James E. Boasberg on 8/2/17. (lcjeb2) (Entered: 08/02/2017)
08/02/2017		Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 8/7/2017. (nbn) (Entered: 08/02/2017)
08/03/2017	11	PROPOSED BRIEFING SCHEDULE */Joint Proposed Briefing Schedule* by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Attachments: # 1 Text of Proposed Order)(Boylan, Kim) (Entered: 08/03/2017)
08/04/2017		MINUTE ORDER: Per the parties' Joint 11 Proposed Briefing Schedule, the Court ORDERS that: (1) Defendant shall file its motion for summary judgment on or before October 11, 2017; (2) Plaintiffs shall file their opposition to Defendant's motion and cross−motion on or before November 6, 2017; (3) Defendant shall file its reply and opposition to Plaintiffs' cross−motion on or before November 30, 2017; and (4) Plaintiffs shall file their reply on or before December 14, 2017. Signed by Judge James

		E. Boasberg on 8/4/17. (lcjeb2) (Entered: 08/04/2017)
08/04/2017		Set/Reset Deadlines: Summary Judgment motions due by 10/11/2017. Response to Motion for Summary Judgment due by 11/6/2017. Reply to Motion for Summary Judgment due by 11/30/2017. Replies due by 12/4/2017. (nbn) (Entered: 08/04/2017)
10/10/2017	12	Unopposed MOTION for Extension of Time to *File Summ. Judg. Motion by 9−Days and Entire Summ. Judg. Briefin Schedule by 1−Day* by INTERNAL REVENUE SERVICE (Attachments: # 1 Text of Proposed Order)(Hunsader, Joseph) (Entered: 10/10/2017)
10/10/2017		MINUTE ORDER GRANTING Defendant's 12 Motion for Extension of Time to File. The Court ORDERS that: (1) Defendant shall file its motion for summary judgment on or before October 20, 2017; (2) Plaintiffs shall file their opposition and cross−motion for summary judgment on or before November 15, 2017; (3) Defendant shall file its reply and opposition to the cross−motion for summary judgment on or before December 1, 2017; and (4) Plaintiffs shall file their reply regarding the cross−motion for summary judgment on or before December 15, 2017. So ORDERED by Judge James E. Boasberg on 10/10/2017. (lcjeb2) (Entered: 10/10/2017)
10/10/2017		Set/Reset Deadlines: Summary Judgment motions due by 10/20/2017. Response to Motion for Summary Judgment due by 11/15/2017. Reply to Motion for Summary Judgment due by 12/1/2017. Plaintiffs' Replies due by 12/15/2017. (lsj) (Entered: 10/10/2017)
10/20/2017	13	MOTION for Summary Judgment *based upon prior settlment including mutual release, collateral estoppel, and res judicata* by INTERNAL REVENUE SERVICE (Attachments: # 1 Memorandum in Support, # 2 Statement of Facts, # 3 Text of Proposed Order, # 4 Affidavit of Joseph Hunsader, # 5 Exhibit A (Pltfs' prior Judgment), # 6 Exhibit B (global settlement offer and acceptance letters), # 7 Exhibit C (Forms 211, 211A, etc.), # 8 Exhibit D (Pltfs' prior Complaint), # 9 Exhibit E (Pltfs' motion for disclosure) −− Part 1, # 10 Exhibit E −− Part 2, # 11 Exhibit E −− Part 3, # 12 Exhibit E −− Part 4, # 13 Exhibit E −− Part 5, # 14 Exhibit F (USA opposition motion to disclose) −− Part 1, # 15 Exhibit F −− Part 2, # 16 Exhibit G (Order denying Pltfs' motion for disclosure), # 17 Exhibit H (Pltfs' proposed form of Judgment), # 18 Exhibit I (Pltfs' withdrawal motion to enforce judgments))(Hunsader, Joseph) (Entered: 10/20/2017)
10/20/2017	14	MOTION to Stay *obligation to affirmatively move for summary judgment on the ultimate merits of a FOIA lawsuit* by INTERNAL REVENUE SERVICE (Attachments: # 1 Text of Proposed Order)(Hunsader, Joseph) (Entered: 10/20/2017)
10/27/2017	15	RESPONSE re 14 MOTION to Stay *obligation to affirmatively move for summary judgment on the ultimate merits of a FOIA lawsuit /Plaintiffs' Opposition to Defendant's Motion to Stay* filed by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Attachments: # 1 Text of Proposed Order)(Boylan, Kim) (Entered: 10/27/2017)
10/30/2017	16	MOTION to Amend/Correct 8 Answer to Complaint by INTERNAL REVENUE SERVICE (Attachments: # 1 Text of Proposed Order, # 2 Memorandum in Support, # 3 Affidavit, # 4 Exhibit Proposed Amended Answer (REDLINE version), # 5 Exhibit Proposed Amended Answer (CLEAN version))(Hunsader, Joseph) (Entered: 10/30/2017)
11/03/2017	17	REPLY to opposition to motion re 14 MOTION to Stay *obligation to affirmatively move for summary judgment on the ultimate merits of a FOIA lawsuit* filed by INTERNAL REVENUE SERVICE. (Hunsader, Joseph) (Entered: 11/03/2017)
11/03/2017	18	Unopposed MOTION for Leave to File *Sur−Reply to Defendant's Motion for Stay* by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY (Attachments: # 1 Exhibit A − Plaintiffs' Sur−Reply to Defendant's Motion for Stay, # 2 Text of Proposed Order)(Boylan, Kim) (Entered: 11/03/2017)
11/06/2017		MINUTE ORDER: Although Plaintiffs are correct in contending that Defendant has been somewhat protean in its handling of the summary−judgment briefing, the Court nonetheless believes that the most efficient way of handling the matter is to permit briefing on the threshold matters of release, estoppel, and res judicata first. As a result,

		the Court ORDERS that: 1) Plaintiffs' 18 Motion to File Sur−Reply is GRANTED; 2) Defendant's 14 Motion to Stay is GRANTED; 3) The parties shall confine this first round of briefing to those threshold issues; and 4) In the event the Court denies Defendant's Motion for Summary Judgment, it will set a further briefing schedule on the merits issues related to the search and withholdings. So ORDERED by Judge James E. Boasberg on 11/06/2017.(lcjeb2) (Entered: 11/06/2017)
11/06/2017		ENTERED IN ERROR.....Case Stayed (nbn) Modified on 11/7/2017 (znbn). (Entered: 11/07/2017)
11/07/2017		NOTICE OF CORRECTED DOCKET ENTRY: Case Stayed was entered in error. (nbn) (Entered: 11/07/2017)
11/15/2017	19	Memorandum in opposition to re 13 MOTION for Summary Judgment *based upon prior settlment including mutual release, collateral estoppel, and res judicata / Plaintiffs' Opposition to Defendant's Motion for Summary Judgment Based Upon Mutual Release, Collateral Estoppel, and Res Judicata* filed by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Attachments: # 1 Plaintiffs' Statement of Disputed Material Facts, # 2 Text of Proposed Order)(Boylan, Kim) (Entered: 11/15/2017)
12/01/2017	20	STRICKEN PURSUANT TO MINUTE ORDER FILED 12/6/2017.....REPLY to opposition to motion re 13 MOTION for Summary Judgment *based upon prior settlment including mutual release, collateral estoppel, and res judicata* filed by INTERNAL REVENUE SERVICE. (Attachments: # 1 Affidavit, # 2 Affidavit, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F, # 9 Exhibit G, # 10 Exhibit H, # 11 Exhibit I, # 12 Exhibit J, # 13 Exhibit K, # 14 Exhibit L, # 15 Exhibit M, # 16 Exhibit N)(Hunsader, Joseph) Modified on 12/7/2017 (znmw). (Entered: 12/01/2017)
12/05/2017	21	MOTION to Strike 20 Reply to opposition to Motion,, */ Plaintiffs' Motion to Strike Declaration of Brett P. Ziegler [20−1]* by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY (Attachments: # 1 Text of Proposed Order)(Boylan, Kim) (Entered: 12/05/2017)
12/05/2017	22	Unopposed MOTION for Leave to File *Sur−Reply to Defendant's Motion for Summary Judgment Based Upon Mutual Release, Collateral Estoppel, and Res Judicata* by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY (Attachments: # 1 Text of Proposed Order)(Boylan, Kim) (Entered: 12/05/2017)
12/06/2017		MINUTE ORDER: The Court ORDERS that Defendant's 20 Reply is STRICKEN for excessive footnoting, which violates the Court's Local Rules and constitutes an effort to circumvent the page limits. Defendant may refile its Reply by December 7, 2017, which may contain no more than 10 footnotes with an aggregate total of 30 lines. Plaintiffs' 22 Motion is GRANTED, and they may file a Sur−Reply limited to 15 pages by December 15, 2017. So ORDERED by Judge James E. Boasberg on 12/06/2017. (lcjeb2) (Entered: 12/06/2017)
12/06/2017		Set/Reset Deadlines: Reply due by 12/7/2017. Sur−Reply due by 12/15/2017. (nbn) (Entered: 12/06/2017)
12/07/2017	23	REPLY to opposition to motion re 13 MOTION for Summary Judgment *based upon prior settlment including mutual release, collateral estoppel, and res judicata [Revised] Reply filed pursuant to Court's Minute Oder of Dec. 6, 2017* filed by INTERNAL REVENUE SERVICE. (Hunsader, Joseph) (Entered: 12/07/2017)
12/15/2017	24	SURREPLY to re 13 MOTION for Summary Judgment *based upon prior settlment including mutual release, collateral estoppel, and res judicata* filed by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Boylan, Kim) (Entered: 12/15/2017)
12/18/2017	25	Memorandum in opposition to re 21 MOTION to Strike 20 Reply to opposition to Motion,, */ Plaintiffs' Motion to Strike Declaration of Brett P. Ziegler [20−1]* filed by INTERNAL REVENUE SERVICE. (Attachments: # 1 Text of Proposed Order)(Hunsader, Joseph) (Entered: 12/18/2017)
12/19/2017	26	REPLY to opposition to motion re 21 MOTION to Strike 20 Reply to opposition to Motion,, */ Plaintiffs' Motion to Strike Declaration of Brett P. Ziegler [20−1]* filed by

		BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Boylan, Kim) (Entered: 12/19/2017)
02/20/2018	27	ORDER DENYING Defendant's 13 Motion for Summary Judgment; GRANTING Defendant's 16 Motion to Amend/Correct; and DENYING AS MOOT Plaintiff's 21 Motion to Strike. The Court ORDERS that the parties shall submit a joint proposed briefing schedule on or before February 27, 2018. Signed by Judge James E. Boasberg on 2/20/18. (lcjeb1) (Entered: 02/20/2018)
02/20/2018	28	MEMORANDUM OPINION re 27 Order. Signed by Judge James E. Boasberg on 2/20/18. (lcjeb1) (Entered: 02/20/2018)
02/20/2018		Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 2/27/2018 (lsj) (Entered: 02/20/2018)
02/20/2018	30	Amended ANSWER to Complaint by INTERNAL REVENUE SERVICE.(td) (Entered: 02/27/2018)
02/27/2018	29	PROPOSED BRIEFING SCHEDULE / *Joint Proposed Briefing Schedule* by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Attachments: # 1 Text of Proposed Order)(Boylan, Kim) (Entered: 02/27/2018)
02/28/2018		MINUTE ORDER: Per the parties' 29 Joint Proposed Briefing Schedule, the Court ORDERS that: (1) Defendant shall file its Motion for Summary Judgment on the Ultimate Merits of a FOIA Lawsuit on or before April 9, 2018; (2) Plaintiffs shall file their consolidated Opposition to Defendant's Motion for Summary Judgment and Cross−Motion for Summary Judgment on the Ultimate Merits of a FOIA Lawsuit on or before May 11, 2018; (3) Defendant shall file its Reply in Support of Defendant's Motion for Summary Judgment and Opposition to Plaintiffs' Cross−Motion for Summary Judgment on or before May 25, 2018; and (4) Plaintiffs shall file their consolidated Reply in Support of Plaintiffs' Cross−Motion for Summary Judgment on or before June 11, 2018. So ORDERED by Judge James E. Boasberg on 2/28/2018. (lcjeb2) (Entered: 02/28/2018)
02/28/2018		Set/Reset Deadlines: Summary Judgment motions due by 4/9/2018. Response to Motion for Summary Judgment due by 5/11/2018. Reply to Motion for Summary Judgment due by 5/25/2018. Plaintiffs' Replies due by 6/11/2018. (lsj) (Entered: 02/28/2018)
04/09/2018	31	MOTION for Summary Judgment *on Plaintiffs' FOIA complaint based upon the "Glomar response"* by INTERNAL REVENUE SERVICE (Attachments: # 1 Memorandum in Support, # 2 Statement of Facts, # 3 Text of Proposed Order, # 4 Affidavit by Patricia Williams (redacted −− entire declaration to be be filed under seal with leave of Court), # 5 Affidavit of Pamela Sharisse Tompkins, # 6 Affidavit of Amy Mielke)(Hunsader, Joseph) (Entered: 04/09/2018)
04/09/2018	32	MOTION for Leave to File *Declarations or portions thereof IN CAMERA and UNDER SEAL* re 31 MOTION for Summary Judgment *on Plaintiffs' FOIA complaint based upon the "Glomar response"* by INTERNAL REVENUE SERVICE (Attachments: # 1 Text of Proposed Order)(Hunsader, Joseph) (Entered: 04/09/2018)
04/10/2018		MINUTE ORDER GRANTING 32 Motion to File In Camera and Under Seal. The Court ORDERS that Defendant shall submit the referenced materials in camera on or before April 17, 2018. So ORDERED by Judge James E. Boasberg on 4/10/2018. (lcjeb2) (Entered: 04/10/2018)
04/10/2018		Set/Reset Deadlines: In−Camera Submission due by 4/17/2018. (lsj) (Entered: 04/10/2018)
04/11/2018	33	MOTION for Leave to File *Opposition to Defendant's Motion for Leave to Submit Declarations for the Court's In Camera Review* by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY (Attachments: # 1 Plaintiffs' Memorandum in Opposition to Defendant's Motion for Leave to Submit Declarations for the Court's In Camera Review, # 2 Text of Proposed Order)(Boylan, Kim) (Entered: 04/11/2018)
04/17/2018	34	NOTICE *of Submissions of Declarations IN CAMERA for the Court's review* by INTERNAL REVENUE SERVICE re 31 MOTION for Summary Judgment *on Plaintiffs' FOIA complaint based upon the "Glomar response"* (Hunsader, Joseph)

		(Entered: 04/17/2018)
04/25/2018	35	Memorandum in opposition to re 33 MOTION for Leave to File *Opposition to Defendant's Motion for Leave to Submit Declarations for the Court's In Camera Review* filed by INTERNAL REVENUE SERVICE. (Attachments: # 1 Text of Proposed Order)(Hunsader, Joseph) (Entered: 04/25/2018)
04/26/2018	36	REPLY to opposition to motion re 33 MOTION for Leave to File *Opposition to Defendant's Motion for Leave to Submit Declarations for the Court's In Camera Review* filed by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Boylan, Kim) (Entered: 04/26/2018)
04/26/2018		MINUTE ORDER: The Court ORDERS that Plaintiffs' 33 Motion is GRANTED inasmuch as their Opposition may be filed. To the extent the Court considers any ex parte materials, it will ensure that Plaintiffs are given an opportunity to be heard such that they are not thereby prejudiced. So ORDERED by Judge James E. Boasberg on 4/26/2018. (lcjeb2) (Entered: 04/26/2018)
04/26/2018	37	Memorandum in opposition to re 32 MOTION for Leave to File Declarations or portions thereof IN CAMERA and UNDER SEAL re 31 MOTION for Summary Judgment on Plaintiffs' FOIA complaint based upon the "Glomar response" filed by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (jf) (Entered: 05/01/2018)
05/11/2018	38	STRICKEN PURSUANT TO MINUTE ORDER OF 5/14/18. . . . .Memorandum in opposition to re 31 MOTION for Summary Judgment *on Plaintiffs' FOIA complaint based upon the "Glomar response" / Plaintiffs' Opposition to Defendant's Motion for Summary Judgment Upon Plaintiffs' Complaint and Plaintiffs' Cross−Motion for Summary Judgment* filed by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Attachments: # 1 Plaintiffs' Statement of Disputed Material Facts, # 2 Plaintiffs' Statement of Undisputed Material Facts, # 3 Text of Proposed Order)(Boylan, Kim) Modified on 5/14/2018 (ztd). (Entered: 05/11/2018)
05/11/2018	39	STRICKEN PURSUANT TO MINUTE ORDER FILED 5/14/18. . . . .Cross MOTION for Summary Judgment */ Plaintiffs' Opposition to Defendant's Motion for Summary Judgment Upon Plaintiffs' Complaint and Plaintiffs' Cross−Motion for Summary Judgment* by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY (Attachments: # 1 Plaintiffs' Statement of Disputed Material Facts, # 2 Plaintiffs' Statement of Undisputed Material Facts, # 3 Text of Proposed Order)(Boylan, Kim) Modified on 5/14/2018 (ztd). (Entered: 05/11/2018)
05/14/2018		MINUTE ORDER: The Court ORDERS that Plaintiffs' [38−39] briefs are STRICKEN without prejudice as violating LCvR 5(d)'s ban on excessive footnotes. Plaintiffs may file by May 15, 2018, briefs that contain no more than 10 footnotes with no more than 50 aggregate lines of text. So ORDERED by Judge James E. Boasberg on 5/14/2018.(lcjeb2) (Entered: 05/14/2018)
05/14/2018	40	Memorandum in opposition to re 31 MOTION for Summary Judgment *on Plaintiffs' FOIA complaint based upon the "Glomar response" / Plaintiffs' Opposition to Defendant's Motion for Summary Judgment Upon Plaintiffs' Complaint and Plaintiffs' Cross−Motion for Summary Judgment* filed by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Boylan, Kim) (Entered: 05/14/2018)
05/14/2018	41	Cross MOTION for Summary Judgment */ Plaintiffs' Opposition to Defendant's Motion for Summary Judgment Upon Plaintiffs' Complaint and Plaintiffs' Cross−Motion for Summary Judgment* by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY (Boylan, Kim) (Entered: 05/14/2018)
05/14/2018		Set/Reset Deadlines: Brief due by 5/15/2018. (znbn) (Entered: 05/15/2018)
05/25/2018	42	RESPONSE re 41 Cross MOTION for Summary Judgment */ Plaintiffs' Opposition to Defendant's Motion for Summary Judgment Upon Plaintiffs' Complaint and Plaintiffs' Cross−Motion for Summary Judgment*, 31 MOTION for Summary Judgment *on Plaintiffs' FOIA complaint based upon the "Glomar response"* filed by INTERNAL REVENUE SERVICE. (Attachments: # 1 Statement of Facts in Opposition to Plaintiff's Statement of Undisputed Facts in Support of Their Cross−Motion for Summary Judgment)(Hunsader, Joseph) (Entered: 05/25/2018)

05/25/2018	43	REPLY to opposition to motion re 31 MOTION for Summary Judgment *on Plaintiffs' FOIA complaint based upon the "Glomar response"* filed by INTERNAL REVENUE SERVICE; (See docket entry no. 42 to view.) (ztd) (Entered: 05/31/2018)
06/11/2018	44	REPLY to opposition to motion re 41 Cross MOTION for Summary Judgment / *Plaintiffs' Opposition to Defendant's Motion for Summary Judgment Upon Plaintiffs' Complaint and Plaintiffs' Cross−Motion for Summary Judgment* filed by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Boylan, Kim) (Entered: 06/11/2018)
06/22/2018	45	NOTICE OF SUPPLEMENTAL AUTHORITY by INTERNAL REVENUE SERVICE (Hunsader, Joseph) (Entered: 06/22/2018)
06/25/2018	46	RESPONSE re 45 NOTICE OF SUPPLEMENTAL AUTHORITY */Plaintiffs' Response to Defendant's Notice of Subsequent Authority* filed by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Boylan, Kim) (Entered: 06/25/2018)
08/22/2018	47	NOTICE *of Subsequent Authority* by INTERNAL REVENUE SERVICE (Hunsader, Joseph) (Entered: 08/22/2018)
08/22/2018	48	RESPONSE re 47 Notice (Other) / *Plaintiffs' Response to Defendant's Notice of Subsequent Authority* filed by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Boylan, Kim) (Entered: 08/22/2018)
09/06/2018	49	ORDER: For the reasons set forth in the accompanying Memorandum Opinion, the Court ORDERS that: 1) Defendant's 31 Motion for Summary Judgment is GRANTED IN PART and DENIED IN PART; 2) Plaintiff's 41 Cross−Motion for Summary Judgment is GRANTED IN PART and DENIED IN PART; and 3) The parties shall submit a joint status report by September 20, 2018, with a joint proposed schedule for resolving what remains of the case. Signed by Judge James E. Boasberg on 9/6/2018. (lcjeb3) (Entered: 09/06/2018)
09/06/2018	50	MEMORANDUM OPINION re 49 ORDER on Defendant's Motion for Summary Judgment and Plaintiff's Cross−Motion for Summary Judgment. Signed by Judge James E. Boasberg on 9/6/2018. (lcjeb3) (Entered: 09/06/2018)
09/06/2018		Set/Reset Deadlines: Joint Status Report due by 9/20/2018. (znbn) (Entered: 09/07/2018)
09/14/2018	51	MOTION for Reconsideration re 50 Memorandum & Opinion, 49 Order on Motion for Summary Judgment,,, , MOTION for Hearing */Plaintiffs' Motion for Reconsideration and Opportunity to be Heard* by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY (Attachments: # 1 Declaration of Kim Marie Boylan in Support of Motion for Reconsideration and Opportunity to be Heard, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C)(Boylan, Kim) (Entered: 09/14/2018)
09/20/2018	52	Joint STATUS REPORT *by Plaintiffs and Defendant* by INTERNAL REVENUE SERVICE. (Hunsader, Joseph) (Entered: 09/20/2018)
09/25/2018		MINUTE ORDER: Per the parties' 52 Joint Status Report, the Court ORDERS that: 1) Defendant shall file its opposition to Plaintiffs' Motion for Reconsideration by October 5, 2018, with Plaintiffs' reply due by October 26, 2018; and 2) As to Items 6−12, Defendant shall inform the Court by October 16, 2018, whether it will submit further affidavits or renew its search; in either event, Defendant shall also propose a schedule for its actions. So ORDERED by Judge James E. Boasberg on 9/25/2018. (lcjeb2) (Entered: 09/25/2018)
09/25/2018		Set/Reset Deadlines: Motions due by 10/5/2018. Replies due by 10/26/2018. Defendant shall inform the Court by10/16/18, whether it will submit further affidavits or renew its search; in either event, Defendant shall also propose a schedule for its actions. (znbn) (Entered: 09/26/2018)
10/04/2018	53	RESPONSE re 51 MOTION for Reconsideration re 50 Memorandum & Opinion, 49 Order on Motion for Summary Judgment,,, MOTION for Hearing */Plaintiffs' Motion for Reconsideration and Opportunity to be Heard* filed by INTERNAL REVENUE SERVICE. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Text of Proposed Order)(Hunsader, Joseph) (Entered: 10/04/2018)

10/16/2018	54	AFFIDAVIT re 50 Memorandum & Opinion *and Court's Minute Order of September 25, 2018* by INTERNAL REVENUE SERVICE. (Hunsader, Joseph) (Entered: 10/16/2018)
10/16/2018	55	STATUS REPORT *pursuant to Court's September 25, 2018, Minute Order* by INTERNAL REVENUE SERVICE. (Hunsader, Joseph) (Entered: 10/16/2018)
10/16/2018		MINUTE ORDER: A conference call is hereby set for Friday, October 19, 2018, at 9:30 a.m. to discuss scheduling. The Court ORDERS that the parties shall jointly call Chambers at (202) 354−3300 at this time (in Chambers). So ORDERED by Judge James E. Boasberg on 10/16/2018. (lcjeb2) (Entered: 10/16/2018)
10/16/2018		Set/Reset Hearings: Telephone Conference set for 10/19/2018 at 09:30 AM in Chambers before Judge James E. Boasberg. (znbn) (Entered: 10/16/2018)
10/19/2018		MINUTE ORDER: As discussed in today's conference call from chambers, the Court ORDERS that: 1) The parties shall submit a joint proposed briefing schedule regarding the Whistleblower Office search by October 22, 2018; 2) The Government will follow its proposed production schedule in the October 16, 2018, Status Report regarding the Bemont and Southgate files; and 3) The parties shall submit a joint status report about that production and briefing by April 5, 2019. So ORDERED by Judge James E. Boasberg on 10/19/2018. (lcjeb2) (Entered: 10/19/2018)
10/19/2018		Set/Reset Deadlines: Proposed Briefing Schedule due by 10/16/2018. Joint proposed briefing schedule regarding the Whistleblower Office search by 10/22/2018. Status Report due by 4/5/2019. (znbn) Modified on 10/22/2018 to correct date error (znbn). (Entered: 10/19/2018)
10/22/2018	56	PROPOSED BRIEFING SCHEDULE / *Joint Proposed Status Report and Briefing Schedule* by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Attachments: # 1 Text of Proposed Order)(Boylan, Kim) (Entered: 10/22/2018)
10/22/2018		MINUTE ORDER: The Court ADOPTS the parties' 56 Joint Proposed Briefing Schedule and ORDERS that: 1) Plaintiffs shall file their Motion Challenging Sufficiency of Supplemental Whistleblower Office Declaration and Scope of Search by November 9, 2018; 2) Defendant shall file its Response to Plaintiffs' Motion by December 3, 2018; and 3) Plaintiffs shall file their Reply in support of their Motion by December 14, 2018. So ORDERED by Judge James E. Boasberg on 10/22/2018. (lcjeb2) (Entered: 10/22/2018)
10/22/2018		Set/Reset Deadlines: Motion Challenging Sufficiency of Supplemental Whistleblower Office Declaration and Scope of Search due by 11/9/2018. Responses due by 12/3/2018. Replies due by 12/14/2018. (znbn) (Entered: 10/23/2018)
10/26/2018	57	REDACTED DOCUMENT− Redacted Exhibits A, B, and C to replace Dkt. Nos. 53−1, 53−2, and 53−3 to 53 Response to motion, by INTERNAL REVENUE SERVICE. (Attachments: # 1 Exhibit Redacted Exhibit B (to replace Dkt. No. 53−2, # 2 Exhibit Redacted Exhibit C (to replace Dkt. No. 53−3))(Hunsader, Joseph) (Entered: 10/26/2018)
10/26/2018	58	REPLY to opposition to motion re 51 MOTION for Reconsideration re 50 Memorandum & Opinion, 49 Order on Motion for Summary Judgment,,, MOTION for Hearing */Plaintiffs' Motion for Reconsideration and Opportunity to be Heard* filed by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY. (Attachments: # 1 Exhibit A)(Boylan, Kim) (Entered: 10/26/2018)
11/09/2018	59	MOTION to Compel *Plaintiffs' Motion Challenging Sufficiency of Supplemental Whistleblower Office Declaration and Scope of Search* by BETH W. MONTGOMERY, THOMAS A. MONTGOMERY (Attachments: # 1 Text of Proposed Order)(Boylan, Kim) Modified event title on 11/13/2018 (znmw). (Entered: 11/09/2018)
11/26/2018	60	Memorandum in opposition to re 59 MOTION to Compel *re Sufficiency of Supplemental Whistleblower Office Declaration and Scope of Search* filed by INTERNAL REVENUE SERVICE. (Attachments: # 1 Text of Proposed Order)(Hunsader, Joseph) (Entered: 11/26/2018)